



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2017 Biennium

Bill #	HB0219	Title:	Geographic restrictions for sex offenders
Primary Sponsor:	Essmann, Jeff	Status:	Returned to First House - with Amendments

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 219 would restrict the residential and employment opportunities of a “high-risk sexual offender,” including generally forbidding the offender from establishing a residence or any other living accommodation in a place where a minor resides.

FISCAL ANALYSIS

Assumptions:

Department of Corrections

- As amended, the Department of Corrections does not anticipate a fiscal impact.

Judicial Branch

- The number of district court cases may increase as a result of this legislation; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because court dockets currently are full in many judicial districts throughout the state.

Department of Public Health and Human Services

- New Section 1(5) grants rulemaking authority to designate facilities where a high risk offender currently resides or would reside. The rulemaking for these facility designations would be minimal and could be accomplished with existing resources.

Technical Notes:

Department of Public Health and Human Services

1. New Section 1(5) indicates that facilities designated by DPHHS after October 1, 2015, require a public hearing in the community where the facility is to be located. As currently drafted, it is unclear if the public hearing is intended to be the hearing commonly associated with administrative rulemaking provided in 2-4-302, MCA, or a public hearing independent of the rulemaking process. In either event, a cost will be incurred to conduct any public hearing in an outside community setting.

Sponsor's Initials

Date

Budget Director's Initials

Date